

NORFOLK, VIRGINIA

ACTION OF THE COUNCIL

TUESDAY, FEBRUARY 11, 2014 – 7:00 P.M.

Prayer offered by Vice Mayor Angelia Williams, followed by the Pledge of Allegiance.

The following members were present: Ms. Green, Mr. Protogyrou, Mr. Riddick, Mr. Smigiel, Dr. Whibley, Ms. Williams and Mr. Fraim.

President Fraim moved to excuse Mr. Mr. Winn from today's meeting.

Motion adopted.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

President Fraim moved to dispense with the reading of the minutes of the previous meeting.

Motion adopted.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

CERTIFICATION OF CLOSED MEETING

A Resolution entitled, "A Resolution certifying a closed meeting of the Council of the City of Norfolk in accordance with the provisions of the Virginia Freedom of Information Act," was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

INVITATION TO BID

IB-1

INVITATION TO BID scheduled this day under State law, public notice having been inserted in the local press by the City Clerk, to accept bids for a **Deed of Lease** with a term of six years for property located at **235 East Plume Street**.

Alton Robinson, 735 West 35th Street, spoke concerning this matter.

Thereupon, An Ordinance entitled, “An Ordinance accepting the bid submitted by **Slover Library Foundation** for a Long Term Deed of Lease, with a term of six years, for the property located at **235 East Plume Street**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 14, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley and Williams.

No: None.

Abstained: Fraim.

Mayor Fraim noted he is the president of the Slover Library Foundation and abstained from voting on this item.

PUBLIC HEARINGS

PH-1

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Chelsea Business Association**, to amend Map LU-1, “Future Land Use Map,” in *plaNorfolk2030*: a) from Residential Mixed to Commercial, on premises numbered **816 Orapax Street**; and **1301-1307 Redgate Avenue**, b) from Industrial to Residential Mixed on premises numbered **701 Orapax Street** and **1300-1314 Boissevain Avenue** and c) from Industrial to Commercial, on premises numbered **1311-1331 Redgate Avenue**; **1210-1318 Raleigh Avenue**; **1309 Raleigh Avenue**; **1225-1309 Boissevain Avenue**; **1222-1230 W. Olney Road**; **1225-1301 W. Olney Road**; **601-607, 701-715 and 801 Orapax Street**; **508 and 804 Orapax Street**; and **801 Claremont Avenue**.

Thereupon, an Ordinance entitled, “An Ordinance to amend the City’s General Plan, ***PlaNORFOLK2030 SO AS TO*** change the land use designation for various properties located along **Orapax Street, Redgate Avenue, Boissevain Avenue, Raleigh Avenue, West Olney Road and Claremont Avenue,**” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Frain.

No: None.

PH-2

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **Crossings at Campostella Station** by the **Franklin Johnston Group**, a) to amend Map LU-1, “Future Land Use Map,” in *plaNorfolk2030* from Single Family Traditional to Residential Mixed, b) to amend the *Zoning Ordinance* to add section 27-37, “**The Crossings at Campostella Station Residential Planned Development**” (PD-R Campostella Station) district and c) to change zoning from I-3 (General Industrial) district to PD-R **Campostella Station** numbered **1050 Berkley Avenue Extended**.

Rob Beamon, the attorney, 103 Bobby Jones Drive and Janice Mckee, 618 Walke Avenue, spoke in favor of this matter.

Thereupon, an Ordinance entitled, “An Ordinance to amend the City’s General Plan, ***PlaNORFOLK2030, SO AS TO*** change the land use designation for properties general bound on the South by **Berkley Avenue** extended, on the **East by Todd Street, Cedar Street and Oakfield Street**, on the **North by Joyce Street**, and on the **West by Hibie Street** from Single-Family Traditional to Residential Mixed,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Frain.

No: None.

PH-2A

An Ordinance entitled, “An Ordinance to amend Chapter 27 of the Zoning Ordinance of the City of Norfolk, 1992 **SO AS TO** create the

Crossing at Campostella Station Residential Planned Development District (PD-R Campostella),” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

PH-2B

An Ordinance entitled, “An Ordinance to rezone properties generally bound on the **South by Berkley Avenue** extended, on the **East by Todd Street, Cedar Street and Oakfield Street**, on the **North by Joyce Street**, and on the **West by Hibie Street** from I-3 (General Industrial) to PD-R **Campostella Station (The Crossing at Campostella Station Residential Planned Development District)**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

PH-3

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Church Street Station by Luna Development**, to a) amend Map LU-1, “Future Land Use Map,” in *plaNorfolk2030* from Industrial, Single Family Urban and Utility/Transportation to Multifamily, b) amend the *Zoning Ordinance* to add section 27-38, “Church Street Station Residential Planned Development” (PD-R Church Street Station) district and c) change the zoning from I-2 (Light Industrial), R-11 (Moderate Density Multi-Family) and RCO (Residential Compatibility Overlay) districts to PD-R Church Street Station district on properties numbered **2000 Church Street** and **1816-1824 O’keefe Street**.

Beatrice Garvin-Thompson, 964 Washington Avenue, expressed her concerns with the proposed development stating it would have a negative impact on the Olde Huntersville neighborhood.

Mike Glenn, the applicant, 629 Mayflower Road, was present to answer questions.

ACTION: Continued to February 25, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

PH-4

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on a **Land Disposition and Development Contract (“LDDC”)** between the **City of Norfolk and Virginia Supportive Housing (“VSH”)**, a Virginia non-stock corporation for 1.2 acre parcel of real property located off **Church Street** in the **Huntersville** area.

Mike Glenn, the applicant, 629 Mayflower Road and Dr. Carrie White, Virginia Supportive Housing, was present to answer questions.

ACTION: Continued to February 25, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

PH-5

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **City Planning Commission**, to amend the **Zoning Ordinance of the City Of Norfolk, 1992, Table 5-A, “Table of Land Uses”** to add “Recreational Sports, Indoor” as a use allowed by **Special Exception** within Business and Commerce Park districts (BC-1) and (BC-2).

Thereupon, an Ordinance entitled, “An Ordinance to amend and reordain **Table 5-A of the Zoning Ordinance** of the **City of Norfolk, 1992**, in order to add “Recreational Sports, Indoor” as a use permitted by **Special Exception** in the BC-1 (Business and Commerce Park) and BC-2 (Business and Commerce Park) Districts,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

PH-6

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **City Planning Commission**, to amend the **Zoning Ordinance of the**

City of Norfolk, 1992, Chapter 4, “Residential districts,” to eliminate alternative standards for **Special Exception** uses within Residential zoning districts.

Thereupon, an Ordinance entitled, “An Ordinance to amend and reordain certain **Sections** of **Chapter 4** of the Zoning Ordinance of the City of Norfolk, 1992, **SO AS TO** remove specific requirements for minimum lot area and minimum lot width for **Special Exception** uses in **Residential Zoning Districts**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

PH-7

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **City Planning Commission**, to amend the Zoning Ordinance of the City of Norfolk, 1992, **Section 12-3**, “Expansion of nonconforming structures,” **Section 12-9**, “Discontinuation of nonconforming uses,” and **Section 25-10.11**, “Substantial renovation of a nonconforming structure or resumption of a nonconforming use” in order to limit the availability of the **Special Exception** process by establishing additional compliance criteria.

Thereupon, an Ordinance entitled, “An Ordinance to amend and reordain **Sections 12-3 and 12-9** and repeal **Section 25-10.11** of the Zoning Ordinance of the City of Norfolk, 1992, in order to limit the availability of the **Special Exception** process used to permit the substantial renovation of a nonconforming structure or the resumption of a nonconforming use by establishing additional eligibility criteria,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

PH-8

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **City Planning Commission**, to amend the Zoning Ordinance of the City of Norfolk, 1992, Table 11-33-A –“Table of Land Uses”, to add “Pawnshop” as

a land use allowed by **Special Exception** within the PCO-5 PTS (Pedestrian Commercial Overlay – Five Points) overlay zoning district.

ACTION: The Ordinance as introduced was **LOST**.

Yes: **None**.

No: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

PH-9

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Riverview Business Association**, to amend the **Zoning Ordinance of the City of Norfolk, 1992, Section 11-24**, “Pedestrian Commercial Overlay District – Riverview,” to revise certain development standards.

Thereupon, an Ordinance entitled, “An Ordinance to amend **Section 11-24** of the **Zoning Ordinance of the City of Norfolk, 1992, SO AS TO** modify the regulations and development standards for the **Riverview Pedestrian Commercial Overlay District (PCO-Riverview)**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: **None**.

PH-10

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments authorizing the sale to **Norfolk Redevelopment and Housing Authority** of a certain parcel of property described as **ES Reservoir Avenue**, acquired by the City of Norfolk pursuant to **Section 58.1-3970.1** of the **Code of Virginia, 1950**, as amended, for the sum of \$13,000.00, and approving the terms and conditions of the **Purchase and Sale Agreement**.

Thereupon, an Ordinance entitled, “An Ordinance repealing Ordinance #44,459 adopted December 13, 2011 and authorizing the sale to **Norfolk Redevelopment and Housing Authority** of a certain parcel of property described as **ES Reservoir Avenue** acquired by the City of Norfolk pursuant to **Section 58.1-3970.1** of the **Code of Virginia, 1950** as amended, for the sum of

\$13,000.00, and approving the terms and conditions of the **Purchase and Sale Agreement**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 14, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Frain.

No: None.

PH-11

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments authorizing the sale to **Norfolk Redevelopment and Housing Authority** of a certain parcel of property described as **ES Maltby Avenue**, acquired by the City of Norfolk pursuant to **Section 58.1-3970.1** of the **Code of Virginia, 1950**, as amended, for the sum of \$20,000.00, and approving the terms and conditions of the **Purchase and Sale Agreement**.

Thereupon, an Ordinance entitled, “An Ordinance repealing Ordinance #44,461 adopted December 13, 2011 and authorizing the sale to **Norfolk Redevelopment and Housing Authority** of a certain parcel of property described as **ES Maltby Avenue** acquired by the City of Norfolk pursuant to **Section 58.1-3970.1** of the **Code of Virginia, 1950** as amended, for the sum of \$20,000.00, and approving the terms and conditions of the **Purchase and Sale Agreement**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 14, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Frain.

No: None.

PH-12

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on an Amendment to a Lease with **Philly D. LLC. (D'Egg)** for **204 Main Street**, a property in the City of Norfolk.

Thereupon, an Ordinance entitled, “An Ordinance approving an Amendment to the **Lease Agreement** with **Philly D, LLC**, for **204 Main Street**, a property in the City of Norfolk,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 14, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

PH-13

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on approving a Lease with **Bon Secours – Depaul Medical Center, Inc.**, for use of certain premises located at **7300 Newport Avenue**.

Thereupon, an Ordinance entitled, “An Ordinance approving a Lease with **Bon Secours-DePaul Medical Center, Inc.**, for certain premises located at **7300 Newport Avenue, Norfolk, Virginia**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 14, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

PH-14

PUBLIC HEARING scheduled this day under State law, public notice having been inserted in the local press by the City Clerk, to hear comments on the conveyance of a **GEM LOT** to **Erick Cooper** on property located at **1720 Todd Street**.

Thereupon, an Ordinance entitled, “An Ordinance authorizing the conveyance to **Erick Cooper**, of a certain parcel of property, acquired by the City of Norfolk pursuant to **Section 58.1-3970.1** of the **Code of Virginia, 1950**, as amended, and approving the terms and conditions of the **Conveyance Agreement**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 14, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

PH-15

PUBLIC HEARING scheduled this day under State law, public notice having been inserted in the local press by the City Clerk, to hear comments on

the conveyance of a **GEM LOT** to **Zishan Hameed** on property located at **W S Minnie Avenue**.

Thereupon, an Ordinance entitled, "An Ordinance authorizing the conveyance **to Zishan Hameed**, of a certain parcel of property, acquired by the City of Norfolk pursuant to **Section 58.1-3970.1** of the **Code of Virginia, 1950**, as amended, and approving the terms and conditions of the **Conveyance Agreement**," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 14, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

PH-16

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on the conveyance of a **GEM LOT** to **Fasu K. Konneh** on property located at **1255 Hanson Avenue**.

Thereupon, an Ordinance entitled, "An Ordinance authorizing the conveyance to **Fasu K. Konneh**, of a certain parcel of property, acquired by the City of Norfolk pursuant to **Section 58.1-3970.1** of the **Code of Virginia, 1950**, as amended, and approving the terms and conditions of the **Conveyance Agreement**," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 14, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

CONSENT AGENDA

C-1

Letter from the City Clerk transmitting an **Abstract of Votes** cast in the City of Norfolk at the General Election on January 7, 2014, pursuant to **Section 24.2-675** of the **Code of Virginia**.

ACTION: Received and Filed.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

REGULAR AGENDA

R-1

Matter of a **PUBLIC HEARING** scheduled this day pursuant to action of the Council **October 22, 2013**, under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Tidewater Commerce Center** a) to amend the future land use map, “Map LU-1”, of the City’s General Plan, *plaNorfolk 2030*, from Industrial to Commercial and b) for a change of zoning from I-1 (Limited Industrial) District to Conditional C-2 (Corridor Commercial) District on property located at **630 and 660 Tidewater Drive**.

(Passed by at the meetings of November 26, 2013 and January 14, 2014)

ACTION: Continued to February 25, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

R-2

Matter of a letter from the City Manager and a Resolution entitled, “A Resolution requesting the **Virginia Department of Transportation** to accept certain additional city streets for municipal assistance payments and to remove certain streets from the eligible list pursuant to **Section 33.1-41.1, Code of Virginia, 1950**, as amended,” was introduced in writing and read by its title.

(Passed by at the meeting of January 14, 2014)

ACTION: The Resolution as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

R-3

Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the purchase from **Anita E. Urquhart**, of certain property located in the City of Norfolk, known, numbered and designated as **1224 Cary Avenue**, for the sum of \$10,000.00 in accordance with the terms and conditions of the attached **Purchase and Sale Agreement**; and authorizing the expenditure of a sum of up

to \$15,000.00 from funds heretofore appropriated to pay the purchase price and the other transaction cost,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

R-4

Letter from the City Manager and an Ordinance entitled, “An Ordinance appropriating and authorizing the expenditure of an additional amount up to \$2,330,516.00 from the **Commonwealth of Virginia** for inclusion in the **Fiscal Year 2014 Comprehensive Services Act** for the At-Risk Youth and Families Pool Fund and authorizing the expenditure of an additional amount up to \$890,981.00 in local matching funds from the **Norfolk Department of Human Services** for the **Fiscal Year 2014**,” was introduced in writing and read by its title.

Ellis James, 2021 Kenlake Place and Phillip Hawkins, 3597 Mississippi Avenue, spoke in favor of this matter.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

R-5

Letter from the City Manager and an Ordinance entitled, “An Ordinance accepting a Grant in the amount of \$20,000 from **Smart Beginnings South Hampton Roads** and appropriating and authorizing the expenditure of the grant funds and \$180,000 in local cash matching funds for Fiscal Year 2014 for the Smart Beginnings Program to increase public awareness of the importance of early education, to sponsor early learning centers for the Quality Rating Improvement System, to assist early learning centers and family home providers to undergo the Quality Rating Improvement System process, to support early learning programs in the small business development center and to provide scholarships for the **Tidewater Community College Early Educator Program** as part of the Smart Beginnings Program,” was introduced in writing and read by its title.

Alton Robinson, 735 West 35th Street, expressed his concerns regarding this matter.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

R-6

Letter from the City Manager and an Ordinance entitled, “An Ordinance establishing the **Federal Asset Forfeiture Revenue Account**, accepting from the **U.S. Department of Justice, Asset Forfeiture and Money Laundering Section**, an equitable Sharing Program Fund Award of \$95,000.00, more or less, as Federal Forfeiture Asset Funds, appropriating and authorizing the expenditure of the funds for Law Enforcement purposes, in accordance with the terms and conditions of the attached **Equitable Sharing Agreement and Certification**,” was introduced in writing and read by its title.

Betsy Powell, 312 North Shore Road, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

R-7

Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the **City Treasurer** to issue a refund to **Boddie Noell Enterprises, Inc.** in the amount of \$4,955.81 based upon the overpayment of Business Personal Property Tax for 2013,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

R-8

Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the reissuance and remarketing of the **City of Norfolk, Virginia, General Obligation Variable Rate Demand Bonds, Series 2007** and the replacement of or amendment to certain financing documents related thereto,” was introduced in writing and read by its title.

Dan Montague, 4605 Krick Street, spoke in favor of this matter.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

R-9

Letter from the City Manager and an Ordinance entitled, “An Ordinance permitting **Fred Zeisberg** to encroach into **Hunt Road** right-of-way at **6899 Hunt Road** with pavers for an 11’ by 24’ parking pad and a walkway extension to the parking pad,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

R-10

Letter from the City Manager and an Ordinance entitled, “An Ordinance permitting **Holy Trinity Catholic Church** to encroach into **Granby Street** right-of-way at the **9500** block of **Granby Street** with two 18” by 24” directional signs in the verge north and south of **Government Avenue**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

R-11

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to **Mazzika, LLC**, authorizing the operation of an entertainment establishment on property located at **4800 Colley Avenue, Suites C, D1 and D2**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

R-12

Letter from the City Manager and the following two ordinances:

An Ordinance entitled, “An Ordinance granting a **Special Exception** to **7-Eleven, Inc.** authorizing the sale of alcoholic beverages for off-premises consumption at an establishment known as ‘**7-Eleven**’ on property located at **3650 North Military Highway**,” was introduced in writing and read by its title.

Stephen Romine, the attorney for the applicant, 999 Waterside Drive, was present to answer question.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Frain.

No: None.

R-12A

An Ordinance entitled, “An Ordinance granting a **Special Exception** to permit a **Convenience Store**, 24-hours (with fuel sales) on property located at **3650 North Military Highway**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Frain.

No: None.

R-13

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to **Jessys Groceries, Inc.** authorizing the operation of an eating and drinking establishment on property located at **3201 East Ocean View Avenue, Suite 104**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Frain.

No: None.

R-14

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to **Hibachi Buffet Of Norfolk, Inc.**, authorizing the operation of an eating and drinking establishment known as ‘**Hibachi Grill Supreme Buffet**’ on property located at **5957 East Virginia Beach Boulevard, Suite 4**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Frain.

No: None.

R-15

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to **Norfolk District Associates, LLC** to permit the operation of an entertainment establishment on property located at **333 Waterside Drive,**” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

R-16

Letter from the City Manager and an Ordinance entitled, “An Ordinance approving an amendment to the **Service Agreement** relating to the **Hampton Roads Regional Jail,**” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

R-17

Letter from the City Manager and an Ordinance entitled, “An Ordinance to amend and reordain **Subsection (D)** of **Section 24-203.1** of the **Norfolk City Code, 1979, SO AS TO** require adjustment of the amount of tax abatement two years after completion of renovation activities,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

R-18

A Resolution entitled, “A Resolution appointing **Dr. Linda B. McCluney** to the **Public Library Board** of Norfolk for a certain term,” was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective February 11, 2014.

Yes: Green, Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

NEW BUSINESS

1. Bob Rawls, 701 Briar Hill Road, President of Poplar Hall Civic League, spoke about a community center and invited the Mayor to their March 3rd meeting.
2. Richard Luxford, 223 West Ocean View Avenue, Apt.14, spoke about an incident that occurred on the HRT bus. He also spoke in favor of HRT rate increase.
3. The followings persons spoke to Council asking to restore the Real Estate Tax Relief\Deferral Program for seniors.
 - Rickey Ross, 6830 Orangewood Avenue.
 - Bill Jackson, Federation of Civic Leagues-VP, 3709 Buckingham Street
 - Barbara Scott, 265 North Blake Street.
 - Jim McDonnell, 218 Sinclair Street.
 - Kathryn Crist, 3589 Utah Avenue.
 - Peggy Hagel, 2413 Heutte Drive.
 - Mary Fulcher, 1222 Ocean View Avenue.
 - William Davis, 934 West Little Creek Road.
 - Phillip Hawkins, 3597 Mississippi Avenue.
 - Jayne Mason, 1116 Cottage Place.
 - Marcus Powell, 2514 Maltby Avenue.
 - Mary Simpson-Jones, 7505 Paulin Court.
 - Shirley Smith, 962 Elm Street.
 - Howard LeMelle, 2650 Middle Avenue, was present, but did not speak.
4. Donald Hornstein, 1309 Stockley Gardens, spoke regarding his concerns regarding the building at 161 Granby Street.
5. Danny Lee Ginn, 3844 Dare Circle, commented on good government.
6. Alton Robinson, 735 West 35th Street, commented on community issues.

